

V.

CIVIL ACTION NO.

## JURY TRIAL DEMANDED

and swollen left foot; the redness and swelling were in the vicinity of toes 3 and 4 of Mr. Mangino's left foot.

6. On December 22, 2015, Mr. Mangino had an office visit with Dr. Hrobuchak, and during that office visit he was examined and treated by Dr. Hrobuchak.

7. During this December 22, 2015, office visit, Dr. Hrobuchak advised Mr. Mangino that he was suffering from the gout, and he prescribed Indocin and a narcotic pain killer.

8. In fact, on December 22, 2015, Mr. Mangino was suffering from cellulitis.

9. On December 24, 2015, Mr. Mangino called Dr. Hrobuchak because his condition had gotten worse.

10. On December 24, 2015, Dr. Hrobuchak did not ask Mr. Mangino to come to his office or go to a hospital emergency room; instead, he prescribed a Z-pack over the phone.

11. The next day, December 25, 2015, the condition worsened, and Mr. Mangino went to the emergency room of Pocono Medical Center, where he was admitted and diagnosed as suffering from cellulitis.

12. As a result of Dr. Hrobuchak's negligence, carelessness, and breach of the standards of care, Mr. Mangino:

- a. Suffered from and continues to suffer from, among other things, left leg nerve damage and complex regional pain syndrome.
- b. Has sustained serious and permanent injury and disfigurement.
- c. Has been and continues to be obliged to receive and undergo

medical attention and care.

d. Has been and continues to be obliged to spend various sums of money for medical attention, care, and assistance.

e. Has suffered physical pain, mental anguish, embarrassment and humiliation, and loss of life's pleasures, which he will continue to suffer permanently.

f. Has lost past earnings.

g. Has an impairment of his earning capacity and powers.

### **COUNT I – NEGLIGENCE**

#### **MR. MANGINO v. DR. HROBUCHAK**

13. The averments contained in paragraphs 1 through 12 are incorporated herein by reference and made a part hereof.

14. Dr. Hrobuchak was negligent, careless, and breached the standards of care in the following respects:

a. For failing to examine Mr. Mangino properly.

b. For failing to observe during the December 22, 2015, office visit that Mr. Mangino's left foot was red and swollen in the vicinity of toes 3 and 4.

c. For failing to take and record a full, complete, and accurate history from Mr. Mangino.

d. For diagnosing Mr. Mangino as suffering from gout.

e. For failing to diagnose Mr. Mangino as suffering from cellulitis.

f. For failing to treat Mr. Mangino properly.

g. For failing to treat Mr. Mangino as if he were suffering from

cellulitis.

h. For failing to have Mr. Mangino hospitalized on December 22, 2015, so he could receive proper treatment for his condition.

i. For failing to send Mr. Mangino to an appropriate specialist on December 22, 2015.

j. For failing to examine Mr. Mangino on December 24, 2015.

k. For failing to direct Mr. Mangino to go to a hospital emergency room on December 24, 2015.

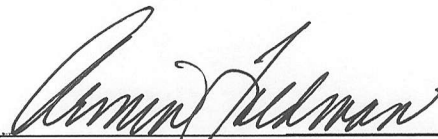
l. For failing to take measures to reduce the risk that Mr. Mangino would suffer from nerve damage and other disorders.

m. Such other acts or omissions constituting carelessness, negligence, recklessness, and/or gross negligence which may appear during the course of discovery or at the trial of this case.

15. The negligence and carelessness of Dr. Hrobuchak were the factual cause of Mr. Mangino's above-described injuries and damages.

16. The negligence and carelessness of Dr. Hrobuchak increased the risk that Mr. Mangino would sustain the above-described injuries and damages.

WHEREFORE, Mr. Mangino demands judgment against Dr. Hrobuchak for an amount in excess of \$75,000, exclusive of interest and costs.

A handwritten signature in cursive script, appearing to read "Armin Feldman", is written over a horizontal line.

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